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August 1, 2000

Lois G. Lerner
Associate General Counsel
FEDERAL ELECTION COMMISSION
Washington, D.C. 20463

MUR 5027

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
AUG 4 3 03 PM '00

Re: **MARK NICHOLS**

Dear Ms. Lerner:

This is in response to your letter of July 27, 2000, received in this office on August 1, 2000.

I originally received your letter of June 14, 2000, on June 19, 2000. That letter indicated that if I had any questions I should contact Maura Callaway, Special Assistant, at 202/694-1650. On either June 22nd or June 23rd, I did telephone Maura Callaway to ask for clarification as to one aspect of the proposal. I did not reach her, but left a message asking that she return my call. I never received a return phone call. Your letter of July 27, 2000, indicates I did not respond to a telephone message left by Maura Callaway on July 25, 2000. I received no telephone message from Maura Callaway on July 25, 2000, or at any other time.

As I believe you may be aware, Mr. Nichols has paid the entirety of the financial component of the anticipated Conciliation Agreement. That is at the core of the agreement. This demonstrates, I believe, substantial good faith on his part.

Finally, out of an abundance of caution, I see your letter reflects a stated intention to report to the Department of Justice that my client is not in compliance with the terms of the Plea Agreement. Although it should be

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obvious, this is a determination that can only be made by the District Judge who presided over the proceedings.

Yours very truly,


STANLEY I. GREENBERG

SIG:jp

c.c.: Mr. Mark Nichols
w/encl.

21-04-402-3388